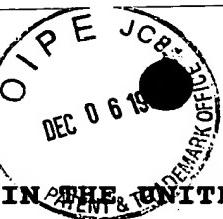


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



SECTOR  
FF

Applicant(s) : Herwig BUCHHOLZ ET AL.  
Serial No. : 09/349,713  
Filed : July 8, 1999  
: FORMULATIONS HAVING AN ANTIVIRAL ACTION

ATTENTION:  
BOX MISSING PARTS

TRANSMITTAL LETTER FILING MISSING PARTS UNDER 37 CFR 1.53(d)

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

Responsive to the Office Action dated August 4, 1999, attached is the Declaration and Power of Attorney for the above-identified application for filing in compliance with 37 CFR 1.53.

Applicants request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a). The attached check includes the \$380.00 fee for a two-month extension of time.

Attached is a check in the amount of \$1,270.00 to cover the following fees:

\$ 760.00	- Filing Fee
130.00	- Surcharge Fee
<u>380.00</u>	- 2-Month Extension Fee
<u><b>\$1,270.00</b></u>	- TOTAL

The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account #13-3402, two copies of this paper being attached for this purpose.

Respectfully submitted,

  
Richard M. Lebovitz (37,067)  
Attorney for Applicant(s)  
MILLEN, WHITE, ZELANO  
& BRANIGAN, P.C.  
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RML:djc

Filed: December 6, 1999

MERCK-1900



## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/349,713	07/08/99	BUCHHOLZ	H MERCK-1900

0212/0804  
MILLEN WHITE ZELAND & BRANIGAN PC  
ARLINGTON COURTHOUSE PLAZA 1  
2200 CLARENDON BOULEVARD STE 1400  
ARLINGTON VA 22201

NOT ASSIGNED  
Missing Part Response - 10/4/99  
1615

DATE MAILED:

08/04/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

The Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 small entity (statement filed)  non-small entity is \$ 870.00.

1. The statutory basic filing fee is:

missing.  
 insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.  
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

C. Basen  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202